

**TOWN OF AMENIA
ZONING BOARD OF APPEALS
WEDNESDAY, DECEMBER 12, 2007**

PRESENT: Chairman Rudy Eschbach
Judy Velletri
Norm Cayea
David Rosenberg
Leo Blackman

Chairman Rudy Eschbach opened the meeting at 7:00 P.M.. The roll was called with everyone present.

PUBLIC HEARING

Mayville - Area Variance - 20 May Lane - Town of Amenia

The Public Hearing notice was read. The applicant was represented by John Walsh with Zaricki and Associates. Mr. and Mrs. Mayville were also present. Mr. Walsh stated that he had been before the Planning Board for a pre-discussion meeting regarding whether a zoning variance would be required. The Planning Board favored the subdivision, they required the Mayville's to get a variance before a formal application could be made. Previously this parcel met the old zoning, under the new regulations lot #2 falls short of the new 200' road frontage requirement. There is no provision under the new zoning for frontage along a private road. The existing house has a 200' road frontage, the proposed lot does not. The most frontage for this variance is 47.41 feet; the minimum would be 40 feet less. He then presented the Board an analysis of the surrounding properties. Chairman Eschbach stated he had visited the area and felt the package Mr. Walsh presented was one of the best he has seen and makes the Board's job easier. Leo Blackman asked why the set back was so far for the new house. Mr. Walsh stated that the first reason was the sanitary design. With wells across the street this provided the best location. In the back it would become a larger footprint for the septic system. The perk test done in the front was better than the back.

David Rosenberg asked is a private road acceptable for road frontage. Leo Blackman was concerned regarding the private road when the access to the parcel, was across another parcel, via a private road, would that impact the status of the private road? A neighbor, Gladys Archambault, has property which has road frontage along its own private road. The private road is going across the adjacent parcel to get to the town road. Mr. Walsh stated they would have to have an easement of some type.

Chairman Eschbach then asked if there were any comments from the public. Gladys Archambault came forward stating that she had no objections to the Mayville's building a house. There were no other public comments.

The Board then went into discussion. Leo Blackman was concerned with the setback. He felt the house should be moved forward. Chairman Eschbach felt that this would be a Planning Board issue and asked the applicant if they had any feedback from the Planning Board. The applicant stated that the Planning Board was very open to it. Mr. Blackman said that the new zoning is an attempt to make the hamlets feel like a hamlet, if you set back a house that far back it feels *less than* a neighborhood. David Rosenberg added the zoning laws establish minimum setbacks however not maximum setbacks. Chairman Eschbach stated that if the proposed house were brought forward the view from across the street would be impaired.

MOTION TO GRANT THE LARGER VARIANCE OF 47.41 FEET FOR THE MAYVILLE PROPERTY was made by Leo Blackman, seconded by David Rosenberg

VOTE TAKEN:	Chairman Eschbach	Yes
	Judy Velletri	Yes
	Norm Cayea	Yes
	Leo Blackman	Yes
	David Rosenberg	Yes

Motion Carried.

OTHER MATTERS

MOTION TO ACCEPT THE FACTS AND FINDINGS AND RESOLUTION WITH ONE MINOR SPELLING ERROR FOR THE JETSON PROPERTIES was made by David Rosenberg, seconded by Judy Velletri

VOTE TAKEN:	Chairman Eschbach	Yes
	Judy Velletri	Yes
	Norm Cayea	Yes
	Leo Blackman	Yes
	David Rosenberg	Yes

Motion carried

MOTION TO APPROVE THE MINUTES OF JUNE 13, 2007 WITH TWO MINOR ERRORS was made by David Rosenberg, seconded by Judy Velletri

VOTE TAKEN:	Chairman Eschbach	Yes
	Judy Velletri	Yes
	Norm Cayea	Yes
	Leo Blackman	Yes
	David Rosenberg	Yes

Motion carried

MOTION TO ADJOURN THE MEETING AT 7:40 P.M. was made by Leo Blackman, seconded by Judy Velletri

Vote Taken – All in Favor

Respectfully submitted,

Susan M. Metcalfe
Zoning Board of Appeals Secretary

The foregoing represents unapproved minutes of the Town of Amenia Zoning Board of Appeals from a meeting held on December 12, 2007 and are not to be construed as the final official minutes until so approved.

_____Approved as read

Approved with: deletions, corrections and additions